

City Council**Motion without Notice**

MM10.12	ACTION			Ward:5
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Release of Planning Act Reserve Funds (Section 37 and Section 45) towards the construction of the new YMCA facility at 5145 Dundas Street West - by Councillor Justin J. Di Ciano, seconded by Councillor Vincent Crisanti

** Notice of this Motion has not been given. A two-thirds vote is required to waive notice.
* This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.
* This Motion has been deemed urgent by the Chair.*

Recommendations

Councillor Justin J. Di Ciano, seconded by Councillor Vincent Crisanti, recommends that:

1. City Council increase the approved 2015 Operating Budget for Non-Program by \$1,047,135.93 gross, \$0 net, fully funded by \$4,848.22 in Section 45 community benefits obtained in the development at 15 Viking Lane, (source account: XR3028-4500065), and \$1,042,287.71 in Section 37 funds obtained in the development at 1 Valhalla Inn Road, (source account XR3026-3700435), in order to forward the funds to the YMCA of Toronto to be put towards the construction of a new YMCA facility at 5145 Dundas Street West.
2. City Council direct the General Manager, Parks, Forestry and Recreation to negotiate a Community Use Agreement for the YMCA Centre to be built at 5145 Dundas Street West to secure affordable access to community space and recreational programs and services.
3. City Council direct that the funds identified in Recommendation 1 above be transferred to the YMCA of Toronto once the YMCA has signed both an Undertaking governing the use of the funds and the financial reporting requirements and Community Use Agreement.
4. City Council increase the approved 2015 Operating Budget for Children's Services by \$518,651.87 gross and \$0 net with funding from the Planning Act Reserve Fund funded by Section 37 community benefits from the development at 5233 Dundas Street West (source account XR3026-3700315) to provide a grant to the YMCA in accordance with the terms of agreement between the City and YMCA for the construction of a child care facility at the proposed YMCA facility at 5145 Dundas Street West, with the funding included in the 2016 Recommended Operating Budget for Children's Services in the event that the funds are not transferred to the YMCA until the subsequent year.

5. City Council direct that prior to the transfer of funds, identified in Recommendation 4 above, to the YMCA Dundas Street West Child Care Centre, the YMCA enter into an agreement with the City that details the specifications and operation of the child care facility, and outlines the utilization of the funds transferred from the City to the YMCA Dundas Street West Child Care Centre of the Section 37 funds, with terms and conditions satisfactory to the General Manager, Children's Services and in a form satisfactory to the City Solicitor.

Summary

The YMCA of Toronto will be constructing a new facility at 5145 Dundas Street West as part of the Build Toronto redevelopment of the former Westwood Theatre site. The YMCA is undertaking a fundraising campaign for the construction costs and Build Toronto will be constructing the facility as part of the redevelopment. All of the available Section 45 funds will be contributed to the YMCA's fundraising campaign.

The Motion is urgent as the project has been ongoing for at least ten years and at this time proof of commitment and funding are required to ensure it is not cancelled. The project is viable and of great importance to Ward 5. A visible show of support from the City at this time would help the YMCA with its philanthropic goals and help make this project a reality.

Funds have been secured through Section 37 benefits from the development at 1 Valhalla Inn Road that included \$1,005,000 plus indexing and interest for the purpose of constructing a new community centre and/or gymnasium facility within the vicinity of the Lands. These funds have been received by the City and have accrued interest. Of the original contribution and accrued interest there remains approximately \$1,042,287.71 for a new community centre that have not been spent or remain uncommitted. Section 37 benefits have been secured from the development at 5233 Dundas Street West that included \$500,000 for the purpose of providing day care space or a public library/family resource centre for children under the age of 18 provided is it not located more than 1.6 kilometres from the perimeter of the development. Of the original contribution and accrued interest there remains approximately \$518,651.87 for the provision of a day care centre that have not been spent or remain uncommitted. In addition, funds have been secured through Section 45 benefits from a minor variance approval related to the development at 15 Viking Lane that included \$150,000 plus indexing and interest for the purpose of constructing an alternative community facility. These funds have been received by the City and have accrued interest. Of the original contribution and accrued interest there remains approximately \$4,848.22 for a new community centre that have not been spent or remain uncommitted.

City Planning staff advises that the proposed purposes of the funds as set out in the recommendations of this Motion and are in compliance with the respective Section 37 Agreements and/or Committee of Adjustment Conditions and are in accord with Council approved guidelines and protocols.

Background Information (City Council)

Member Motion MM10.12